

### **REMARKS**

This paper responds to the Office Action mailed on July 18, 2007.

None of the claims are amended, canceled, or added. Claims 1-56 remain pending in this application.

#### **§102 Rejection of the Claims**

Claims 28-30, 32-35, and 41-50 were rejected under 35 U.S.C. § 102(e) for anticipation by Kwon et al. (U.S. 2004/0008547).

Applicant respectfully traverses for at least the reasons presented below.

Applicant believes that independent claim 28 is not anticipated by Kwon because Applicant is unable to find in Kwon everything recited in claim 28. For example, Applicant is unable to find in Kwon the things recited in claim 28 such as "outputting a conditioning data to the data line during the latency time interval", and "outputting the memory data to the data line after the latency time".

The Office Action points to paragraph [0087] and FIG. 3 of Kwon and asserts that Kwon teaches outputting a conditioning *data* to the data line during the latency time interval. Applicant respectfully disagrees. Kwon teaches a way to increase the speed of input/output (IO) data in Kwon's device. Paragraph [0087] of Kwon states that the IO speed of data can be increased by improving conditions of the data *path* of the first bit more than those for the data paths. Kwon uses FIG. 3 to show signal skews (SKEW) among various data paths (e.g., data path represented by RD in FIG. 3 and FIG. 9). Applicant is unable to find in paragraph [0087] a teaching or any mentioning of outputting a conditioning *data* to the data line during the latency time interval. Kwon did mention something about transmitting data to an output data pad. For example, in paragraph [0084], which is related to the description of FIG. 9, Kwon mentions that data output from the IO sense amplifier 83 is transmitted to an output data pad (not shown in FIG. 9) using a read data (RD) line and then is output to the outside. However, Applicant is unable to find in paragraph [0084], [0087], or in the entire teaching of Kwon the things recited in claim 28 such as outputting a conditioning *data* to the data line during the latency time interval. Further, Applicant is unable to find Kwon the things recited in claim 28 such as outputting the *memory*

*data* to the data line (which is the same data line used for outputting the conditioning *data* during the latency time interval) after the latency time.

The reasons presented above demonstrate that claim 28 is not anticipated by Kwon. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 28. Dependent claims 29, 30, 32-35 depend from claim 28 and recite the things of claim 28. Thus, Applicant believes that claims 29-36 are not anticipated by Kwon for at least the reasons presented above regarding claim 28, plus the additional things recited in claims 29, 30, 32-35. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claims 29, 30, 32-35.

Applicant believes that independent claim 41 is not anticipated by Kwon because Applicant is unable to find in Kwon everything recited in claim 41. For example, for at least the reasons presented above regarding claim 28, Applicant is unable to find in Kwon the things recited in claim 41 such as "transferring a conditioning data from a conditioning data storage unit to a data line during a conditioning time interval after the command signal is issued" and "transferring a memory data from a memory array to the data line after the conditioning time interval". Further, claim 41 recites that the conditioning data is from a conditioning data storage whereas the memory data is from a memory array. Notwithstanding the that Applicant is unable to find in Kwon a teaching of transferring conditioning data and memory data to the same data line (as discussed above regarding claim 28), Applicant is unable to find in Kwon a teaching of transferring the conditioning data from *a conditioning data storage unit* to the data line and transferring the memory data from *a memory array* to the data line after the conditioning time interval, as recited in claim 41. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 41. Dependent claims 42-50 depend from claim 41 and recite the things of claim 41. Thus, Applicant believes that claims 42-50 are not anticipated by Kwon for at least the reasons presented above regarding claim 41, plus the additional things recited in claims 42-50. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claims 42-50.

Allowable Subject Matter

Claims 31 and 36 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 31 and 36 depends from claim 28. In view of the reasons presented above regarding the patentability of claim 28, Applicant believes that claims 31 and 36 are allowable in the dependent form.

Claims 1-27, 37-40, and 51-56 were allowed. Applicant acknowledges the allowance of claims 1-27, 37-40, and 51-56.

**RESERVATION OF RIGHTS**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

**CONCLUSION**


Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6969

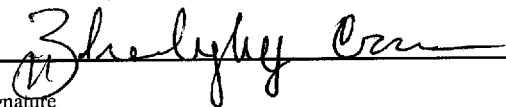
Date 8/31/2007

By   
Viet V. Tong  
Reg. No. 45,416

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 31 day of August 2007.

Zbatalovsky N. Curran

Name

  
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